



kp/1762

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Bible et al.)
Application Serial No.: 10/082,375) Group Art Unit: 1762
Filed: Feb. 25, 2002)
For: System and Method of Coating a Continuous) Examiner: Tsoy, E.
Length of Material)
Attorney Docket No. 018279.046956)
-----)

#6
Meda
4/11/03

RECEIVED
APR 10 2003
TC 1700

Commissioner of Patents and Trademarks
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This correspondence is responsive to the office action dated February 27, 2003 (paper #5). Claims 1-25 are subject to a restriction requirement under 35 U.S.C. §121.

Group 1 is provisionally elected with traverse. The applicant hereby submits that the restriction requirement set forth in paragraph 2 of the office action is improper for the following reasons. The Examiner has stated that the inventions of group I and group IV/V are related as process and apparatus for its practice, but that the inventions are distinct, each from the other because the process as claimed can be practiced by another materially different apparatus comprising one EB emitter and rotating means instead of a plurality of EB emitters to achieve the same even exposure of all coated surfaces to radiation. The applicant submits that no rotating means for an EB emitter presently exists that effects complete curing of a coating applied to the surface of a continuous length of material being coated.

The process as claimed operates on a continuous length of tube whereby the tube moves through the coating and curing steps of the process concurrently with the performance of those process steps. Assuming *arguendo* that a suitable rotating means for an EB emitter exists, the curing of a continuous length of material that is moving through a coating and curing process using such an emitter would necessarily be uneven since, as the emitter rotates, a portion of the tube not exposed to the radiation therefrom would be advancing past a point of coverage that will be subject to radiation as the emitter rotates around the material. At best the curing ability of such a system would be spotty.

Furthermore, the applicant doubts that a practicable rotating means for an EB emitter can be employed, due to the sensitive nature of the EB emitters themselves, coupled with the necessity of supplying high-voltage electrical power thereto. Thus the Examiner's assertion that the process accomplished by the claimed plurality of emitters can be performed by a single EB emitter and a rotating means is without support.

Accordingly, for the foregoing reasons the Applicant respectfully requests that the restriction requirement as set forth in paragraph 2 of the instant office action be withdrawn upon reconsideration.

Applicant calculates that no fee is due with this correspondence. The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or



Application Serial No.: 10/082,375

RECEIVED
APR 10 2003
TC 1700

credit any overpayment, to Deposit Account No. 50-0976 in the name of Greenebaum Doll & McDonald PLLC.

Respectfully submitted,

March 27, 2003
Date

Alexander P. Brackett
Alexander P. Brackett
Reg. No. 41,630
GREENEBAUM DOLL & McDONALD PLLC
3300 National City Tower
101 South Fifth Street
Louisville, Kentucky 40202
(502) 588-4016

CERTIFICATE OF MAILING
UNDER 37 CFR 1.8

THE UNDERSIGNED CERTIFIES THAT THIS CORRESPONDENCE IS BEING PLACED
IN AN ENVELOPE ADDRESSED TO COMMISSIONER OF PATENTS AND
TRADEMARKS, WASHINGTON, D.C. 20231 AND DEPOSITED AS FIRST CLASS MAIL,
POSTAGE PREPAID, THIS 27TH DAY OF MARCH 2003.

Paula Carey